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PENNSYLVANIA JOURNAL

OF

PRISON DISCIPLINE.

VOL. IX.—OCTOBER, 1854.—No. 4.

ART. I.—PRESENT STATE OF PRISON DISCIPLINE IN THIS COUNTRY.—OBSTACLES TO ITS GENERAL AMELIORATION.—SUGGESTIONS OF IMPROVEMENT.

HOWEVER it may be with most penitentiaries in this country or abroad, it is not true of them *all*, that “the reformation of the prisoners is not contemplated” as one of the results of the penal process. So far as the *Eastern State Penitentiary* is concerned, it may be safely affirmed that reformation is one of its primary objects. The distinctive principle of its discipline is maintained chiefly with this view, and its past history affords abundant ground to believe, that its friends and founders have not overrated its adaptation or efficiency. No intelligent candid man can receive the statements in the last number of this Journal in reply to the question, “*What becomes of discharged convicts?*” without the most grateful confidence that even they may be reformed.

That a general impression prevails to the contrary of all this, we need not say. If no living voice proclaimed it, there is a silent declaration to that effect in the discipline and economy of most of the prisons in our country. Were it their avowed design to plunge the miserable wretches whom they receive, down to reckless criminality and hopeless degradation, one would think their system could not well be more ingeni-

ously contrived for the purpose. To give all characters, classes, sexes and colors opportunities of free intercourse, as is done in most of our county prisons and in some of our larger penitentiaries; to excite malignant and revengeful passions by cruel and tyrannical treatment; to neglect all means of moral culture or to employ such as are most likely to prove repulsive; to make the skill and strength of prisoners as profitable as possible to the Commonwealth or the prison officers, with little or no regard to the influence of their employment on their own present or future welfare; in a word, to put the government and the offender in an attitude of bitter and determined hostility—what is all this but a tacit declaration, that an improvement of the character and a reformation in the habits and principles of a convict, (if included at all,) are among the most remote and unlooked-for results of their discipline?

Notwithstanding all that has been attempted in the way of enlightening the community on the subject of prisons and the management of their tenantry, there is probably no topic of so great public interest, on which there is less correct information or more diversity of views. It has happened unfortunately that those whose attention has been most particularly directed to it, have espoused opposite theories as to one of the fundamental principles of convict-discipline; and not only so, but in the eagerness to secure converts or to forestall public opinion, erroneous statements have been made, facts and figures have been forced out of their natural connection to support the most unwarrantable conclusions, and positions have been taken with an air of positiveness and impregnability, which a very slight investigation would show to be utterly untenable. What is constantly affirmed without contradiction soon passes for truth, and men of standing and intelligence may be led to embrace an error through faith in its endorsers, which could not be imposed upon them by any plausibility of its own.

The provision of a separate cell for the exclusive employment of each individual convict, and the rigid interdiction of all association or acquaintanceship with the name, voice, figure or features of all other convicts in the same prison, is the characteristic feature of one system. It was originally regarded as the only effectual barrier to mutual corruption, and as the most

certain method of cutting off opportunities for strengthening and extending the bands of the lawless and disobedient, and it has fully answered that important end. In the progress of the experiment advantages were disclosed which were not anticipated, and embarrassments which were feared were not encountered. It was apprehended, for instance, that but few occupations could be introduced and those not the most lucrative, nor most suitable to the employment of a single hand in so limited a space; but it is believed that the labor department of the Eastern State Penitentiary for a considerable period past will show as favorable results, as the *honest* returns of any other prison in the United States with the same average population. Such, however, are the positiveness and pertinacity with which it has been maintained that the prison is a "losing concern," and that intercourse is not prevented, and that the whole experiment is abortive, as to make a deep impression on the public mind, and years must elapse before the error is fully exposed. In the meantime, millions may be expended in the erection of prisons, in the construction of which (but for a misapprehension on this single point) the principle of individual separation would be adopted.

The opponents of separation insisted upon it that moral and religious instruction would be out of the question, unless the convicts could be assembled after the manner of ordinary Christian congregations, and addressed or catechised in each other's presence. When statements were made under this item of prison reports, much stress was laid on the Sunday-school and the chapel services, and occasion was taken to lament the absence of these privileges from institutions in which individual separation was practised. It is not strange, that by the constant reiteration of this view in public addresses, reports, private conversation, letters, newspapers, &c., &c., it should become, in the popular mind, a "fixed fact;" and yet we have no hesitation in saying, that any intelligent person qualified to judge in the premises, will decide that the position of a felon in a cell of the Eastern State Penitentiary, is far more favorable to the exertion of permanent and healthful religious influences upon his mind and heart, than that of the majority of convicts in Auburn, Charlestown or Wethersfield. If testimony

is of any value on such a subject, none could be more direct and positive than that which is borne by *John T. Burt*, and briefly stated in our number for October last. But the propagation of the error has been too steady and systematic to make its correction an easy task. On the contrary, the sentiment will continue to prevail in the religious community, far and wide, that, in a separate prison, the moral and spiritual nature of the wretched inmates can have no sympathy or culture!

Another misapprehension, and one which has taken still deeper hold of public prejudice, is that separation is fatal to bodily health. To make this clear, the bills of mortality of the various prisons have been duly set forth in parallel columns, and the averages calculated to a fraction, to show that separation impairs health and destroys life, while association is favorable to both. Whether the prison is mainly filled from the filthy purlieus of a city or from healthy rural districts; whether the kinds of labor are conducive to health or sickness; whether there is any considerable disproportion in the number predisposed, by constitution or habits, to disease; whether there is any striking inequality in the length of sentences to the various prisons compared, and whether there is in them sufficient similarity in food, drink, lodging, covering, ventilation, medical attendance and in the general economy and management, as to justify the comparison, are inquiries which a prejudiced mind is not likely to suggest nor entertain, and yet how essential are they to a true judgment? We can turn to public documents issued under high sanction, and diligently circulated through all our States and in foreign lands and received with unquestioning confidence, which give a totally false impression on this point, and have been the means of misleading many honest seekers after truth.

If the question were raised in a mixed company of intelligent men, what are the main objections which lie against the system of convict-separation? we venture to say, that its deleterious influence on health and life would be mentioned as one of the chief, and would be insisted upon as a most natural and necessary result. The aforesaid comparative tables would be referred to, and it would be affirmed with confidence, that

nothing else could be expected from such a violation of the laws of vitality!

Yet facts—incontrovertible facts—show conclusively that individual separation is compatible with the highest degree of health and the lowest degree of mortality. Without any infringement upon the peculiar discipline of the institution, hundreds of different men and women, of every variety of age, constitution, temperament, habits and conditions have suffered it during a period varying from one to twenty years, and in that time the per centage of deaths is but a fraction higher than that outside, while the measure of health has been such as is rarely exceeded among the most favored portions of the free population. That, of late years, more healthful occupations have been introduced, that improvements have been made in the diet and clothing of the prisoners, and in the general administration of the prison is most true. The skill and fidelity of the resident medical attendants, the observation and suggestions of the inspectors and the daily experience of the various officers, have combined to bring about important changes in the internal economy of the institution, but none of them incompatible with the enforcement of the grand distinguishing principle of SEPARATION, in which all the parties have undiminished confidence.

If the only point in controversy were whether separation or association is most favorable to health and life, the late reports of the Eastern State Penitentiary would be quite conclusive, but we would only refer the reader to them to show how totally groundless is the popular notion that to keep convicts in separate cells is to impair their health and to destroy their life.

But there is another prevalent opinion on this subject, not less erroneous and still more appalling, viz: that separation enervates and destroys the intellectual faculties of convicts—superadding to all the degradation, suffering and hazards of imprisonment the irreparable calamity of insanity. It is not the purpose of the present article to confute this objection. It has been done over and over again. Every alleged case of insanity occurring in separate prisons in this country, has been carefully analyzed, and it has been conclusively shown that separation, in its legitimate use, was in no sense or degree responsible for it. Not only so,

but whatever difference of results, in this particular, has been attributed to the two systems, has been traced to causes entirely independent of their distinguishing features. So that of this, as of all the other objections which have been named, it may be truly said that they are less than nothing, and vanity.

It is high time, then, that our philanthropists and legislators took a closer and broader view of the methods of dealing with some eight or ten thousand felons confined in the penitentiaries of the United States, and instead of relying on the reports of societies, (which are after all but the echo of individual voices,) or on the excellencies or deficiencies attributed by partisans to their respective theories, let them institute an impartial, discriminating investigation into the actual, present state of every prison, by men who are above corruption and prejudice, and govern themselves by the result. We think the present examination of the condition of one or more of the New York prisons will show the necessity which exists for such a measure, and the kind of abuses which are not likely to be corrected or even revealed without it.

It is a painful conviction, to which we are forced by a careful survey of the penal institutions of the country and a consideration of their latest reported condition, that very little advance has been made in the structure and discipline of our State, and especially our County prisons, in the last quarter of a century; and still less in the methods of dealing with culprits. The facility with which arrests are evaded, and escapes made from officers and station-houses and prisons; the general distrust which is felt in the prompt and equal administration of the laws, and in the integrity and uprightness of judicial and executive functionaries; and the multiplied instances of complicated, atrocious, and yet successful frauds and breaches of trust in high places, lie too deep in the consciousness of the community to require specification.

Whether the springs from which our criminal ranks derive their supply,—such as parental neglect, ignorance, idleness, tradelessness, evil company, intemperance, low and corrupting amusements, &c. &c.,—are to be cut off by any moral or civil agency now employed, as education, reformatory schools, and

the general improvement of public manners, or whether we shall be compelled to meet crime, face to face, in its most rampant form, and determine, *vi et armis*, whether honest men or rogues shall have the rule, is a problem that time only can solve.

That improvements in our penal code have not kept pace with those in other and not more important departments of legislative action; that measures for the relief of human wants and woes in other forms have, in these latter days, been characterized by far greater energy and liberality than those which relate to the miseries of public prisons, we need not stay to prove. We rejoice in them all. No one can contemplate without grateful emotions to the Giver of all good, the generous provision which has been and is being made for those who are deprived of reason or of the bodily senses. It almost surpasses belief to what an extent maladies, which were not long since supposed to be incurable, have become submissive to human skill; and there is not a shadow of doubt that when the same earnest and efficient measures are adopted to subdue the evil propensities of men, and to bring them under the influence of right motives and principles of action, we shall see as surprising moral transformations in some of our cells, as are witnessed in the wards of hospitals among the sick and insane. We disclaim all sympathy with those who regard wicked men as the victims of some organic defect, or moral obliquity for which they cannot be held responsible, and in this view claim for them pity and sympathy rather than the due reward of their deeds. We would be the last to deny them pity and sympathy, while we would be alike the last to withhold the punishment which the laws of the land appoint for their transgression, or to mitigate its severity, or to abridge its duration by the intervention of extraordinary power. But we are quite clear that vast improvements may be made in all grades of our prisons, with great advantage to the prisoner and the public, and without any sacrifice of the legitimate ends of punishment.

One of the first steps in the process would be the reconstruction of every county prison on the most approved plan, as it respects heating, ventilation, cleanliness, non-intercourse, employment, &c. &c. Where the circumstances require it, two or more adjoining counties might unite to erect a prison for

their joint use, equitable arrangements being made for the apportionment of the expense, and for the division of their interest, if it should ever become expedient; or a House of Industry might be combined with a jail, and the burden be made tolerable.

We lately visited the county prison at Worcester, Mass., and also that in Northampton for Hampshire county, in the same State, recently erected at a cost of \$65,000, (one wing being used as a House of Correction)—a large sum certainly, for a rural county, of 100,000 inhabitants. The prisoners in the House of Correction, which were ninety in number, are all habited in parti-colored clothes. They all sit with their backs to each other and to their supervising officer, and are all occupied in some branch of shoemaking. The work is cut out, and prepared so that the most awkward and unskilled hand can prosecute it, and no inmate of ordinary capacity and strength is in confinement a single day without earning something towards his support. Only six prisoners were in custody in the other wing.

Though each prisoner has a cell by himself, and though the rules of the working department interdict all communication, it is not denied that they have more or less intercourse by day and night; and the same was admitted by the intelligent officer who had charge of the Worcester prison, and who expressed his settled conviction of the superiority of the separate system adopted in Pennsylvania. In both these institutions, and others of the same class, complaints are made of the shifting character of the population. Magistrates are in the habit of committing drunken and disorderly persons as vagrants for ten, twenty or thirty days; but as soon as the "drunk" is out of them, some woman calling herself a wife, or some neighbor with more feeling than judgment, would intercede; and if among them all, by begging and pawning, four or five dollars could be raised to pay magistrate's, constable's and prison fees, the party is discharged, with the moral certainty of repeating the process within the succeeding ninety days.

No county prison should be built in the United States without provision for the separation, employment and instruction of every inmate, for whatever period committed, whether for trial, punish-

ment or safe custody. It may be regarded as an incontrovertible fact, that every imprisonment for crime, or for the suspicion of crime, that is not attended with some benefit to the suffering party is to his positive prejudice. Of ninety of the one hundred inmates of a single prison the following questions were asked, and the subjoined answers received.

1. *What was your opinion of a gaol before you were imprisoned?*

Seventy-nine entertained a great dread of it, and six never cared about it.

2. *What after the first imprisonment?*

Eighty-four say they became hardened, and six desired to reform.

3. *What after the second imprisonment?*

Eighty-six confess that they were made still more obdurate and reckless, and four desired to reform.

4. *What after frequent imprisonments?*

Without an exception all declare that they were weary of life, and looked upon the prison more as a home than as a place of punishment.

We presume the same report would be true of almost any other equal section of the gaol population of our country. We would, therefore, advocate earnestly the connection with our county prisons of every means, to make even the shortest term of imprisonment an opportunity to correct vicious habits, to suggest and enforce motives to honesty and industry, and to encourage the faintest promptings of the moral sense, which is seldom totally benumbed. So far as improvement in penitentiary discipline generally is concerned, we regard the complete, radical reformation of our county prisons as among the first and most important steps, and we can conceive of few subjects within legislative control more worthy of immediate and earnest attention.

As to our *State Prisons*, it is evident that they give less and less satisfaction to the community. The crying abuses of authority; the enormous frauds and peculations of officers, agents, contractors or inspectors; the general laxity of discipline, and the manifest deterioration of so large a proportion of those who are subjected to it, are matters of constant

animadversion. An investigation (not the first nor second) now in progress in a neighboring State touching the public prisons, originated in the conviction that defects and abuses exist, which cannot or will not be corrected by those whose duty it is to correct them. Indeed, it has been affirmed in some of our public prints, that if the condition and circumstances of the respective parties are considered, the officers of some of the prisons are more grievous offenders than the worst of their prisoners, and that justice would be better served by letting the "ins" out, and putting the "outs" in.

We have always regarded the contract system in prisons as a source of indefinite mischiefs. It puts too much of the influence and authority of the prison into the hands of parties irresponsible to public opinion, and who are often governed solely by mercenary views. It subjects the prisoners to the caprice or tyranny of those whom the law does not recognize as officers, and whose character and qualities may ill fit them for such a post. It opens the door to fraud and over-reaching, and materially interferes with some of the most important branches of the discipline. Were the object of collecting eight hundred or one thousand men together within four walls, for unequal periods, simply to convert into merchantable goods, as much bone and muscle as possible in a given time without loss of life, we could imagine few more appropriate methods than the introduction of the contract system.

We hope to see it abolished or put upon a very different footing, though we are aware, that the foul spirit of money-making by prison labor must be exorcised, before this or any other essential reform will be brought about. Were it not for the presence of that ubiquitous demon, we might expect to see our State prisons throughout the country constructed on the only true and rational principle of individual separation; liberal provision made to give the greatest efficiency to their reformatory influence on convicts, and every practical means adopted to encourage, protect and employ them upon their discharge. How short-sighted the policy, how suicidal the economy that makes a few hundred dollars a set-off against the continued and confirmed villany of a discharged convict, if the expendi-

ture of such a sum would afford even one chance in a thousand of his permanent reform!

There is another, and in our view, a most important legislative measure, which claims early and earnest attention, viz.: *a general reduction in the length of sentences.*

For many of the revolting features of penal law, we can account only on the ground of inspiring terror in the minds of those who might be disposed in like case to offend. The drawing and quartering of a traitor; the hanging in chains of a murderer; the ignominious burial of a suicide and the driving of a stake through his body; pillorizing, cropping, branding and maiming by slitting the nose or the tongue for less heinous offences, were probably devised chiefly with this view. But no one can fail to see, that in them all there is something so near akin to barbarity, that sympathy with the offender is quite as likely to be excited, as terror of the law which condemns him. If evil doers were accustomed to take a deliberate survey of the probable or possible consequences of their deeds before perpetrating them, and if it were designed to intimidate them or divert them from their purpose by presenting to their view severe bodily pain, open and indelible disgrace, long years of gloomy imprisonment with daily tasks, coarse diet and cheerless solitude, as the inevitable consequence of transgression, we might find a plausible apology for some features of our penal code. But how rarely does a thought of punishment occur to the plotters of mischief? From the moment the evil design is harbored till its final consummation, the powers of the mind are absorbed in devices to avoid detection; and on the ingenuity and success of these, the offender so confidently relies, that punishment becomes too remote a contingency to deter him or even give him any apprehension.

Besides, with the great body of the criminally disposed, very vague and erroneous ideas prevail as to the grades of punishment. Few burglars prefer the day to the night for the perpetration of their deeds, because of the lighter punishment they will suffer if convicted. Highway robbers do not leave all deadly weapons behind, because the putting their victim in fear would aggravate their guilt and penalty. The common motive to crime against property is to acquire the means of gratifying

some infamous lust or passion. With the coveted object in full view, and the ulterior enjoyment confidently anticipated, the apprehension of discovery, defeat and disgrace are far from him. He rushes to the execution of his nefarious purpose with a strange disregard of circumstances that will inevitably betray him; and when all excitement is past, and he reviews his course in the seclusion of his cell, he is amazed at the shallowness of the bait with which he was caught, and resolves—not that he will lead an honest life and never again expose himself to imprisonment but,—that he will be more guarded next time in the method of his crime.

The privation of liberty is unquestionably a grievance to all, but not to all alike. The restrictions upon social intercourse are annoying, and ordinary prison fare is distasteful to convict epicures. Labor,—compulsory and uncompensated labor—is uniformly irksome, and if people who are criminally inclined could spend a few days or weeks in convict company, and see for themselves what their lot is, they might regard the forfeiture of liberty as no small sacrifice to make for the indulgence of their propensities. But what is there in the nature of imprisonment to make its prolongation through a series of years a wise or politic measure, the public interest alone being regarded? Is a convicted horse-thief any more likely to repent and reform by being imprisoned two years than by being imprisoned one, or five rather than three? Does one condemned for passing a counterfeit bank note feel a deeper sense of the turpitude of his offence and a more settled determination never to repeat it, at the end of seven years than at the end of five, or two?

There is a stage in the progress of penal suffering which may be regarded as a crisis, beyond which it rather hardens, irritates or enervates whatever moral sense or sensibility may remain in the prisoner, and defeats the chief design of punishing him at all. If it can be ascertained from the history of convicts, or from the experience and observation of those who are most familiar with their habits and dispositions, what that stage is in an average of one thousand cases, it would furnish some guide to a determination of the point in question.

If it should be said, that notwithstanding the large abate-

ments which have been made in the rigor of the criminal law, crime increases and the perpetrators of it are more fearless, adroit and incorrigible than ever, we should reply, that there are other and adequate causes for all this, without supposing that any past relaxation of the penal laws has emboldened transgressors. Some of these we have already indicated, and to others we can but briefly refer.

1. We are receiving from foreign countries constant accessions to our criminal ranks. However appropriate and adequate our penal and reformatory institutions may be for the exigencies of our own community, we are ill prepared to take care of scores and hundreds of mature, accomplished, callous villains, sent to us from the overflowing prisons of the old world. They not only constitute a large item in the aggregate of our prison population, but they exercise a prodigious influence in training, instructing and encouraging those who are yet novices in crime. An English scape-gallows will show an adroitness in the commission and concealment of crime and in eluding officers of justice, which our native rogues rarely approach.

We have often seen official documents in which the transportation of rogues to our country is recognized as a legitimate policy of European governments. We subjoin a late specimen, which we have every reason to believe genuine.

CIRCULAR.

No. 1,898.]

LIEGE, (Belgium) March 14, 1854.

Emigrants for the United States—Transportation:

GENTLEMEN: The transports for emigrants for the United States will take their departure from Antwerp. A large number of vessels are prepared already to leave at various periods of this month. A certain number of liberated prisoners from Vilvorde, and from several poor-houses, (*dépôt de mendicité*) are on the point of departing.

The price of the passage, all expenses included, is 180 francs, which sum should be paid in advance at the bureau of the Governor of the Province.

I beg of you to let me know as soon as possible if your district has any passengers to be forwarded.

Each individual should be sent to the jail (*maison d'arrêt*) of Antwerp, and have in his possession simply a certificate on the following model:

“The Burgomaster of the district of ———, Province of

Liège, (Belgium,) certifies that ——— (give the age, place of birth, parentage,) is unmarried.”

The departure will take place during the year, every fortnight.

The Commissary of the Arrondissement,

TH. FLECHET.

To the Burgomaster and Council of ———.

We regret to find that the immigration of rogues from foreign countries is not all we are compelled to endure in this line. It is not long since one of our mail steamers from California brought to New York three men, who were put on board as “suspicious characters,” with an assurance of indemnity to the captain, should the transaction involve him in any difficulty. Perhaps, however, they were some escaped or pardoned convicts who had proved an overmatch for the Pacific policemen, and were sent to try the mettle of those on the Atlantic seaboard.

2. The inequality of punishment gives the impression that there is caprice and tyranny in the administration of the law, and that those who suffer for their crimes are in some sense martyrs, or the victims of injustice. We may put a case by way of illustration, and whether fancy or fact it equally answers our present purpose.

A newspaper office is established at the seat of the general government. It is supposed to be the organ of the administration for the time being. It becomes important to put the office under the control of a particular individual. One of the principal proprietors refuses to sell out his interest unless the administration will favor a certain treaty or contract, by which said proprietor will receive a large sum of money. Or, the administration is asked to consent to a certain public measure for the present advantage of one individual, on condition of which such individual does something for the present advantage of the administration! Let this transaction be analyzed and its elements be infused into a proceeding between a private citizen of humble rank and a judge, or juryman, or a legislator, and see what would be made of it. Is the turpitude of the transaction lessened, or the pernicious influence of the example restricted by its occurrence in high life rather than in low?

3. The facility with which many bold offenders elude punishment, and even apprehension, encourages the idea that crime and punishment have no necessary connection. It is the luck of one rogue in a dozen to be caught and condemned, but while the chance of escape is as eleven to one, there will be no lack of adventurers.

How many men are this day at large in the enjoyment of the ordinary privileges of freemen, who are known to have committed crimes of the deepest dye? How often has wealth or station, or family influence interfered to protect gross villains from deserved punishment? Who does not know of more than one fraudulent transaction involving whole families and communities in ruin, and shaking the confidence of men in each other all over the land, the perpetrators and instigators of which have gone "unwhipped of justice," while some poor fellow who has stolen a horse, or peradventure a bag of potatoes, or attempted to pass a spurious dollar bill, is spending his term of years under lock and key, in the forlorn and degraded character of a felon? Do such monstrous inequalities in the administration of justice escape the notice of any man who reads the newspapers, or hears his neighbors talk? Surely not. We could occupy pages of this Journal with specific instances, once familiar but now generally forgotten, in which the most flagitious iniquity has been winked at, and a shield extended over those who were obnoxious to the extreme penalties of the law. Who needs to be told what impression is made on the popular mind by such spectacles? How can we expect the smaller class of rogues to be restrained, when the most stupendous frauds are practised before their eyes by men whose station and pretensions would seem to place them above every temptation to offend? We could cite cases, were it needful, in which the whole process of iniquity has been spread out with odious particularity, and other instances, not so distinctly revealed, but perhaps from that very cause more mischievous in their effects.

4. We cannot but regard the neglect to enforce municipal ordinances as a provocation to the transgression of more general and important laws. There is an obvious analogy in this respect to the government of a household. If the father is accustomed to let his children or servants transgress with im-

punity, the rules respecting punctuality in rising, or in going to school, or in being at the table, or any other domestic duty, he will find it no easy matter, at a later period, to protect his authority from contempt, or his little kingdom from anarchy and dissolution. Probably more than half the existing ordinances of the old city of Philadelphia are virtually obsolete, simply from a long continued neglect to enforce them. We need only to mention a few to indicate the whole class.

There is the provision respecting the trundling of wheelbarrows and hand-carts on the side-walks—not unfrequently are females forced into the street by some filthy, dripping slop-cart, or grocer's handbarrow, which they cannot otherwise avoid. Every year a considerable sum is expended in a public proclamation posted up in every conspicuous place, that all hogs, dogs, goats, &c. found at large, will be taken up; but hundreds of these animals may be seen crossing the path of police officers or constables daily, without molestation. So of the ordinance respecting crackers, squibs, and other uses of gunpowder on the 4th of July or New Years; or that respecting the waste of hydrant water, or of defacing and injuring trees, &c. in the public squares; or that prohibiting the public begging by vagrants from door to door; or draymen being over a specified distance from the heads of their horses, or that against encumbering the side walks, or neglecting to clean them of snow and ice. Now farmers have a good rule for the harvest field, viz.: "to make clean work as they go." A few stalks of grain left standing, here and there, or tufts of dry grass lying scattered every few feet over the newly mown field, mark the slovenly workman. So little offences suffered to go unpunished, if not unnoticed, are so many indications of an inefficient or unfaithful police. It is slovenly work.

5. The vilification of magistrates and the contempt which is shown to legislators and judges, naturally weaken all respect for "the powers that be," so that the sword not only ceases to be a terror to evil doers, but is no longer a praise to those that do well. When those who are entrusted with authority over the property, persons and lives of their fellow-citizens, are charged with the grossest perversion of justice, and with an utter disregard of the most common principles of honesty, how

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can we expect the mass of men to respect their authority or to observe a higher standard of morality than they furnish? "Setting a thief to catch a thief," is a proverbial folly which one would think had become the settled order of proceeding in some of our communities.

6. Frauds and peculations charged upon officers of justice and men in high stations. We allude, in this connection, to familiar instances of fraud in the management of banks and rail-roads; to defalcations of revenue collectors, and other receivers of public money; to corruption and duplicity in contracts for public supplies and improvements, and in the enforcement of spurious claims on the government, and to charges of falsehood, treachery, and unscrupulous self-aggrandisement in every grade of official dignitaries, from the chief magistrate of the Union to the humblest policeman. If half that is alleged against our rulers in the public prints were true, a more arrant company of knaves could not easily be found in or out of prison.

In closing the ninth volume of this Journal, we are naturally prompted to inquire what essential advance has been made since its establishment, in the science or subject of prison discipline, and especially in the benevolent objects of the Committee and Society under whose authority, and at whose expense it has been published?

That the separate system is better understood, and more justly appreciated than it was ten years since, we cannot doubt. The hygienic improvements in the Eastern State Penitentiary, for which we are chiefly indebted to the suggestions and experience of the medical faculty; the general melioration of the moral and physical treatment of the prisoners, and the greatly improved methods of heating and ventilation, have combined to reduce the average of disease and mortality beyond all former precedent. The simple truth is now fully established, that individual separation is perfectly compatible with the largest measure of bodily and mental sanity; and volumes of arguments and inferences, founded on the opposite opinion, may now be sent to the paper mills to be worked up into a new fabric, and used for a wiser end. We have good reason to believe that converts to the doctrine of separation have been greatly multi-

plied, and that if there were to-day a general convention of the resident officers of our various penitentiaries and gaols, for an intelligent and candid interchange of views, there would be but one opinion as to the advantages which convict separation gives in the following important respects:

1. In the adaptation of the discipline to the character and circumstances of individuals.
2. In the opportunities and facilities of intellectual, moral, and religious instruction.
3. In the perfect subordination of prisoners, and
4. In the exertion of influences most favorable to permanent reformation of character and habits.

How they would decide the question of comparative expensiveness we cannot conjecture; and, indeed, it must be only conjecture with the wisest of us, while such uncertainty hangs over the financial history and position of some of the largest penitentiaries in the country.

It is incumbent on those who have faith in the efficacy of moral influences to mould, if not to re-mould, the characters of men, to give more thought to the subjects of which our Journal treats, and to labor more diligently for the correction of prison abuses, and for the introduction into convict cells of meliorating and hopeful agencies for the recovery and permanent reformation of their depraved occupants.

ART. II.—LADY BYRON'S PRIZE ESSAYS.—THE RELATIVE POSITION OF SOCIETY AND CONVICTS.

IF we were asked, what one subject within the range of a philanthropic eye is, at this moment, exciting the deepest interest, we should not hesitate to say, *the improvement of the condition of children and youth*. So various and multiplied are the phases of crime, so frequent and startling the perpetration of it in stations of life and posts of honor and trust that would seem to be almost above ordinary temptation, and so uncertain and inefficacious is the administration of the law—its ministers themselves being not unfrequently the objects of

severe reprobation—that we are driven to more systematic and vigorous measures to *prevent*, what we find it so difficult to cure.

Our Houses of Refuge and Reformation and Juvenile Asylums are working in the right direction, and working well. They are strictly preventive institutions, and have turned the feet of hundreds from the path to the penitentiary or the gibbet, to the ways of industry and uprightness. They arrest the progress of a malady, which, if neglected, would prove fatal; but they do not supply the means of extirpating the seeds of disease. The interesting inquiry now urged is, May not the children of ignorant, intemperate and vicious parents be removed from associations which cannot fail to be destructive to them? Is there no power in civil government to protect the community against a constant accession of criminals and paupers from the dwelling places of want and pollution? Can Christian philanthropy devise no scheme to check the tide of misery and guilt that rolls in upon us from the abodes of depraved, abused and abandoned childhood?

We are not unmindful of the valuable agencies existing in Philadelphia, New York and some other cities for this very end, but they are necessarily quite limited in their influence, and stand upon the uncertain basis of voluntary effort. The removal of one master-spirit from among the supporters of the enterprize would in most cases endanger, if not terminate its usefulness. We must make up our minds to one of two courses in our free country. Either idle, ignorant children of both sexes must be educated in useful knowledge and trained to industrial pursuits, or we must meet them as enemies in some future and not very distant stage of their being, and try titles to the soil. In such a contest, come when it may, the wrong are the strong. One malicious man can do mischief in half a minute that a thousand honest men, watching night and day, cannot prevent. The law is a vain thing for safety when the lawless have the upper hand, and the upper hand they will inevitably have, sooner or later, if efficient means are not taken to give a direction to that sort of popular energy, which is now basking in the sun or rolling in the dirt at its native door-step.

If it should be said that knowledge is power, and that while there is general intelligence among the better bred classes of society, the ignorant, vicious and debased can be kept in subordination, we reply, that under a government like ours, ignorant and corruptible men are available for bad purposes to an extent unknown under any other; and hence whatever arguments can be properly urged in monarchical and despotic countries for making instant and earnest effort to educate intellectually, morally and religiously all neglected children and train to habits of industry all idle children and restrain and correct all vicious children, apply with ten fold force to us.

We are not surprised, therefore, at a remark of the Earl of *Ellesmere*, who recently passed through our country. In presenting to the House of Lords a petition from the magistrates of Manchester, praying for the establishment of reformatory institutions for juvenile delinquents, he referred to what he had personally witnessed. "In the United States," he said, "education was in a more advanced position than in any other part of the world; but he would not be acting disrespectfully to those States in saying that, for want of some system of schools of a reformatory description, much juvenile crime prevailed there."

He was aware of the existence and character of our public institutions in *Philadelphia*, *New York*, *Rochester*, *Westborough*, &c., but evidently regarded these (useful though they are) as no part of a *system*. He doubtless felt that where all power is lodged in the hands of the people, all the people should be wise and virtuous enough to use it without abusing it; and he had seen enough with his own eyes in his own land to satisfy him, that this virtue and wisdom are not wrought into men and women whose infancy and childhood are passed in sottish ignorance and brutal sensuality, and hence his natural wonder, that we had not a *system* of early education adapted especially to the lowest grade of children and youth.

We have a late volume now before us, from which we could easily draw interesting matter for an entire number of our Journal. It consists of two prize essays on Juvenile Delinquency. It seems that in December, 1851, a conference was held in Birmingham on the means of establishing preventive and re-

formatory schools for that class of children, who were but too appropriately called, the "perishing and dangerous." On that occasion it was stated, that a person (since known to be Lady Noel Byron) had offered a prize of one thousand dollars for the best essay on the subject then before the meeting. The essay was to embrace the following topics:

I. To prove that it is the duty of society, as such, to save the young as far as possible from the commission of sin, and if they have already fallen into sinful practices, to save them, if possible, from still further degradation.

II. To show that public opinion requires to be so enlightened, that it should be generally regarded as a barbarism and disgrace, that ANY CHILD should be allowed to form habits of begging and stealing, or be left exposed to corruption in the haunts of vice and schools of crime.

III. To state the means of attaining these objects and the advantages which would accrue to the children, the parents, the neighborhood, the government and the Christian community.

Twenty-eight essays were offered. Four were plainly superior to the rest. Of these four, two were so nearly equal in merit, that Lady Byron added five hundred dollars to the first offer. Seven hundred and fifty dollars were awarded to each of the successful competitors, Micaiah Hill and C. F. Cornwallis. These two essays constitute the interesting volume in hand. Mr. Hill's essay occupies 320 pages and the other 110. We are glad they have been published. We wish the essays which obtained the prize offered by the Managers of our House of Refuge had been published. Let us have the subject laid open to the public eye in its various aspects, until it secures that measure of attention from legislatures, magistrates and conservators of the public welfare which its gigantic importance demands. The Bridgewater treatises, elaborate and learned as they are, and munificent as was the offer that drew them out, are not to be regarded as equally important to the interests of our race, as those which, with like skill and power, will tell us how to train a generation of children under such a government as ours.

We may probably, at some future time, avail ourselves of

these essays for some excellent hints on the organization and management of industrial schools, but our present object is to comment briefly on some of the views advanced by Mr. Hill, on the relative positions of *society* and *convicts*. In advocating the establishment of schools for the children of convicted criminals during their separation from their families, he takes occasion to charge upon society grievous sins.

Mercy demands protection for those whose natural protectors have been sacrificed to the good and safety of the community they have wronged, and whose vengeance they are suffering. It would be but just to such hapless children, because their loss arises out of no fault of theirs. It would be obligatory, because, if for our security we take, per force, from them, what nature had designed for their support and comfort, surely we are bound to return some equivalent to them unattended with danger to us. Is it not a manifest retribution upon society, if children, thus despoiled and robbed of their birthright, should, through our own cruel oversight of their helplessness, grow up a moral pest and curse to the nation? Is there not great selfishness in our treatment of criminals?

The felon and the convict we employ on public works. The plea is, they have wronged society. Society, in fact, is *taking its revenge*. The highway or the dockyard work is the compensation extorted from them. The prisoner feels—is made, in every possible way, sensible—that he is undergoing a process of revenge. His mind rankles on the idea. He takes care you shall exact no more than he can help. His every endeavor is, to give you as much trouble over what he is made to do, as his ingenuity can devise, or his powers of endurance, or stupid indifference, allow him to dare. His term of imprisonment expires. Once more free to act, and what is his natural course? He will *doubly* revenge himself.

Let us reform our prison discipline—the spirit of our criminal treatment. Let the proceeds of his work go to the education of his abandoned and violated family. Let him feel that his criminal conduct was as degrading, demoralizing and ruinous to his own children as a source of inconvenience and anxiety to the community he had outraged. Let him see that society has snatched his little ones—the partakers of his woes, but not accomplices in his crimes—from a parental immolation on the altars of a demon more fierce than Moloch of old. Let him see the happier state, in, at least, material comfort, of his children, in which they live partly through the wages he earns in confinement, but which he has no opportunity to squander away in vicious indulgences. Let him see that the Christian's

revenge is not the satisfaction of the public, but the improvement of his once wretched children; and we fearlessly challenge a difference of opinion as to the results. His wife will be filled with gratitude, and not be broken-hearted. His children fed, clothed, trained, will grow up, not to revenge *their* fathers' wrongs (for such they are taught to view them), by preying on public property, but to shun his vices on the one hand, and to imitate the virtues of society on the other. The imprisoned father will be an altered man. Every day will soften, not harden him, as before. He entered a felon, he goes out a citizen. He entered a misanthrope, he goes forth a husband, a father, a friend.

The culprit has done twofold the wrong to his family, that his theft or robbery has inflicted on society. We punish him for the less, and not for the greater evil. Nay, to punish him for the lesser evil, because it is *personal*, we wantonly aggravate the greater evils already inflicted on others. Can such palpable selfishness have any other tendency than hardening the transgressor?

In imprisonment we have revenged ourselves. In imprisonment let us henceforth become the benefactors of the *young*. Our courts are *tribunals of retribution* on the criminal, and an ingenious instrument of torture, wrong and injustice to multitudes of virtual *widows* and *orphans*. Alas! that a Christian community should so long have tolerated such a system.

We cannot but regard this representation of the position which society holds towards convicted offenders as totally erroneous and mischievous; and we regret its publication the more, as it may give countenance to kindred views entertained by some in our own country.

• The thief, or the burglar, or the murderer *voluntarily* excludes himself from the social sympathies of his fellow men. We dwell in a quiet country village of a thousand inhabitants, each protected by wholesome laws in the enjoyment of his privileges as a citizen. Each man is authorized to regard his house as his castle. His family feel themselves safe under his roof. His possessions are clearly defined and respected by his neighbors. The fruits of his industry are gathered in peace, and while he is himself submissive to the laws that forbid him to trespass on his neighbor's rights, the same laws protect him from the fraud and violence of others. Into such a village, a lawless, desperate fellow finds his way, and taking advantage of the confiding and unguarded manners of the people, takes a

horse from a farmer's barn; or breaks into a house where a defenceless family are quietly reposing, and steals whatever he can lay his hands on; or, the better to accomplish his nefarious purposes, takes one or more lives, that stand in the way of his success.

By great effort this invader of a peaceful home—this depredator upon the property of another—this man of violence and blood—is arrested, and in spite of all the address and ingenuity of friends and counsellors, his guilt is clearly brought home to him, and he stands convicted of the violation of a law, the observance of which is essential to the safety, and indeed the very existence of society. If the majority of men were equally lawless, we should be reduced at once to a state of savage barbarism.

What shall be done with him? No one will advocate a disposition of him that shall make him worse. On the contrary, it is for the interest of all that he should be made better. That something must be done to protect the persons and property of our honest and quiet community from outrage and violence, is obvious. If it were a rabid dog or a ferocious bull, he would soon be dispatched; but he is a human being, and though an offender against the law, its shield is still over him, and only according to its prescribed forms and by its solemn judgment can he be subjected to privations and penalties. Upon due evidence he is convicted, and in due course of law he is declared unworthy of the liberty which peaceable and honest citizens enjoy; and that he may feel in his own proper person that the way of the transgressor is hard, he is removed from the common haunts of men, and from the privileges of free and honest citizens, and put to hard labor and coarse fare, within the walls of a prison.

Now, if society could be impersonated and confronted with the author of the above extract at this juncture, it would say: "What less than this could I do? Between that man and me there could be no common interest, except that he should be improved and saved to his family and the country. If he, and others like him, were allowed to roam abroad I should soon be exterminated. The advantages and privileges which I confer on mankind must be sacrificed, and a state of savage barbarism

must succeed, when every man is his own protector and avenger. Give me any reasonable assurance that this man will betake himself to honest ways, and that he is disposed to make all the reparation in his power to the parties he has injured, and my ultimate purpose in imposing these penalties is answered. It is altogether to my detriment, in a pecuniary view, that he is a prisoner. And as to *revenge*, it is impossible for me to feel it. It is a passion which a single heart may indulge, but it cannot pertain to one constituted as I am."

That this representation of the case is neither forced nor fictitious will appear from analogy. The outline of the whole social fabric is exhibited in miniature in every well regulated household. There the supreme authority is vested in the father, to be exercised over the children and dependents in accordance with established and approved laws. The peace of the family is disturbed, and its prosperity put in jeopardy by the misconduct of a child. He is not disposed to conform to regulations which are essential to the common interest and without which the family would be broken up, and all the blessings of domestic virtue and happiness annihilated. Measures are taken to convince him of his folly and he is admonished of its consequences, but he persists in his waywardness, until it becomes a question of submission on his part or ruin on their's. If, at such a crisis, the father shuts him up in solitude, depriving him temporarily of the enjoyments and privileges of other members of the family, or even forbids him a home beneath his roof, will he be regarded as a "vengeful" father? Is he doing any thing more than his position as the head and protector of the family requires of him?

It is sometimes said, that "the worst use we can make of a man is to hang him." We submit, that it is a much worse use we make of him, when we suffer him to transgress with impunity, or leave him to be the instrument of disturbing the peace of society by fraud and violence, and perhaps of depriving others of the life of which we are so tender in him. We would ever regard even the most desperate offender with sympathy, and would claim for him all the consideration which his pitiable condition deserves; but we contend, that the interests of society are paramount, and that, so far as the weak and erring judg-

ment of man can go, transgression should receive its just recompense, so that the sword of the magistrate should be not only a terror to evil doers but a praise to such as do well.

To the idea that society is the guilty party, inasmuch as it left the childhood and youth of the culprit to be passed in neglect and vice, we have only to say, that with a proper improvement of the means provided by society for the education and training of children, composing even its lowest grades, the supposed contingency could not arise. The thief and the robber may deny their acts, but they do not admit and vindicate them. They may not know or think of the probabilities of detection or of the consequences which will follow it, but they know that stealing and robbery and murder are unlawful.

However just it might be, it would come with an ill-grace from a disobedient son, when suffering the due reward of his deeds at his father's hands, to allege a defective education as an apology for his offence! An earlier chastisement might have been a lighter one, but obedience to the laws must be enforced by penalties, or we should soon be a nation of Ishmaelites.

We would not be understood to discourage any effort for the good of the convict's family during his seclusion, but so far as our observation goes, the number of families who suffer from the absence of a convict-father is very small indeed. Few are found in prisons' cells, who, when at large, were the "protectors" of their families. It is a sorrowful birthright that children derive from most of the fathers who compose our prison population, and in very many cases one of the best ways to prevent "their growing up a moral pest to curse the nation," is to remove an ignorant, drunken, cruel father.

We welcome all the good suggestions of our author about encouraging the convict and awakening his domestic sympathies and disarming him of all improper feelings, but we protest against the doctrine of letting a convicted rogue slip through our fingers, because all was not done that might have been to prevent him from becoming one.

ART. III.—METHODS OF DEALING WITH OFFENDERS.

1. Notes and Narratives of a Six Years' Mission, principally among the dens of London, by R. W. Vanderkiste. 1853, 352 pp.
2. A Place of Repentance; or an account of the London Colonial Training Institution for the Reformation of Adult Male Convicts, by Samuel Martin. 1853, 152 pp.

We apprehend that our trans-Atlantic friends are quite in advance of us, in systematic efforts for reclaiming and restoring to a respectable social position those who have forfeited confidence and liberty by their crimes. We have before us at this moment, two unpretending volumes from the English press, whose titles we have prefixed, each of which furnishes strong motives to effort and large encouragement to hope. For the purpose of diffusing information respecting the methods of dealing with such classes, as well as with the desire to stimulate benevolently disposed persons to similar devices among ourselves, we give the readers of our Journal a glimpse of the interesting contents of these volumes.

The first of them relates to incidents that occurred in six years' experience of a missionary, in a section of the city of London containing 53,500 souls. These incidents are classified by a reference to those particular portions of the community in which they occurred, as infidels, inebriates, criminals, &c. The ready access which the author found to the objects of his solicitude was owing, in no small degree, to the character of his mission. The association under whose direction and at whose expense he labored, is known as the *London City Mission*, the constitution of which is entirely unsectarian; Churchmen and Dissenters uniting to propagate not any one distinctive creed or *ism*, but Christianity itself in its simplest elementary form.

One law of the mission is to avoid controversy upon the constitution and government of Christian churches. It is to this feature of their operations that the friends of the mission ascribe much of their success. Established in 1835 with four missionaries in their service, and with an income of a few hundred dollars, it has come to the receipt of a hundred and ten

thousand and the employment of two hundred and seventy missionaries. The province of the missionaries is strictly the *visitation and religious instruction of the poor in their own dwellings.*

That some scheme of this nature is indispensable to supply the wants of the ignorant and neglected of that great metropolis, is manifest from the fact, that there are of the people who are of an age and in a condition to attend public worship, if they were disposed, at least 700,000 more than there are sittings in every place open for that purpose; and it only makes the case worse to add, that the actual attendance at such places does not reach by one-third the accommodation provided, while this itself is less than one-half what would be required, if all who possessed the opportunity should attend! In the district to which the work before us refers, not one in fifty of the inhabitants ever attend a place of public worship, except those whose daily bread depends on their being there.

The descriptions which the author gives of the dwelling-places, and of the habits and associations of those whom it was his vocation to visit, (and if possible, elevate and improve,) are evidently truthful. There is neither poetry nor fiction in them. On two or three topics only have we space to comment.

The advantages of EDUCATION, though it may be of very humble grade, are regarded by our author as inestimable, and that notwithstanding it may be abused by giving increased power of evil to the evil-disposed.

The condition of the humbler classes is most materially affected, both spiritually and temporally, by want of education. The author has pursued most extensively a system of inquiry, and the result has been, that in the case of very nearly all those persons who have been observed battling nobly with the tremendous difficulties of extreme poverty, and maintaining a degree of order, cleanliness, and endeavor after spiritual life, only to be secured by great and incessant exertion, it has been discovered that in very nearly all these cases, the parties had in youth attended some National, or British, or other charity school. By the pursuit of this inquiry for many years, so adept has the author become in this matter, that on entering a room and making observations respecting the demeanor, persons and habits of the parties visited, he has almost invariably determined aright in his own mind previous to questioning the parties upon the subject.

In visiting very poor persons in the decline of life, it has been also most invariably found, that in their youth or afterwards, they had received no instruction in the very elements of knowledge. Such have frequently bitterly lamented, that when they were children charity schools were scarcely known in one parish of the country in a hundred. To attempt conveying religious instruction to this class is a very painful task, followed in general by most unsatisfactory results, or rather by no results at all.

Whatever is done for the education of the poor, must be done before they are capable of lucrative labor, for there are then claims upon their time as inexorable as hunger and nakedness. Hence, we regard the new movement of the Commissioners of Education, appropriating a portion of the public funds to the training of infant school teachers, as wise and economical. Multitudes of children and youth in the streets of our principal towns, now engaged in all sorts of petty jobbing to earn a livelihood, are denied the privilege, even if they have the inclination to attend school, whose parents would have felt it to be a great relief, if they could have been cared for in a well conducted infant school, between the ages of three and seven. After that age they are expected to contribute something to the means of support, and while the body is crushed with premature burdens, the mind is left to become a sterile waste.

An aged and superannuated dustman, &c., whose limbs are sadly contorted by rheumatism, the result principally of exposure, whilst pursuing the more repulsive branch of his occupation under all circumstances of weather, spoke thus to me; he can neither read nor write:

“Bless you, sir,” said he, “why, when I was a boy, there warnt no larning for gals and boys as there is now, not for miles there warnt; besides if there had been, it warnt no use to me. My father was a brickmaker, and time I was seven years old he had me to work, and it was up afore daylight with me, and pretty quick too, or you’d catch it smartly, and into the field and at work as long as daylight lasted, and then up again. There warnt no time for schooling allowed me, depend on’t, sir.”

For several years this man appeared to pay little attention to my religious instructions, but at last was persuaded to attend a place of worship, and has since then, for a period of several years, been most regular in his attendance, but his ignorance is extreme. He is nearly seventy years old, and for some time

came to our evening classes at the Ragged School, to endeavor to learn his letters, but failed. On one occasion I was endeavoring to raise some spiritual aspirations within him by describing the glories of heaven, and *what* we lost if we were lost, to which he was deeply attentive, and evidently felt what I was saying, as the tears came in his eyes. At last he said, "I wished to ax yer a question, sir, and I thought I'd ax yer, because I know'd you could set me right, if I'm wrong. When I gets to bed, I says my prayers as you bid me, and I puts my hands afore my eyes so, (covering his face with his hands,) well, I sees such beautiful things, sparkles like, all a floating about, and I wished to ax yer, sir, if that aint a something of heaven, sir!" (How easily might a skillful teacher have impressed upon the mind of this man sixty-five years before, a correct scriptural idea of the heavenly world.)

Few persons who have not been familiar with scenes of poverty and privation, have any just notion of the pressure of temptation which the weak and untrained are expected to resist. And it is at such critical moments that the voice of sympathy and encouragement from a benevolent friend or Christian visitor is of priceless worth.

Our author refers to the case of a young woman, not more than eighteen years old, and by no means vulgar in appearance or manners, whom he found trying to support herself and an infant six months old, by shirt-work and shoe-binding.

The poor creature was worn to the bone by hard work, starvation and trouble. Only by extreme toil could she pay the partial rent of a room, and obtain a couple of scanty meals a day—commonly a little bread and tea. She was in respectable service at the period when she fell into temptation. I saw the father of the child on one occasion; he allowed her nothing for months, and appeared heartless and vain. She was called to the door, and the poor person with whom she resided informed me *by whom*. I could hear the few words that passed, which led me to form the above opinion concerning him. "She could not bear the shame," she said, "of going before a magistrate respecting him." Her child was exceedingly fractious, and would not sleep in the day, and so hindered her in her work, that she was almost starved. She wept on several occasions, and appeared wretched. Into what awful circumstances of temptation may one false step lead us! Illustrative of this, she told me on one occasion she had been dreadfully tempted. The child was so cross she was prevented from working much in the

day, and had to sit up in the night, hungry and cold, to stitch shirts and bind shoes, or she "could not get a bit of bread at all;" "and when I looked at that little thing," she said, "and thought how miserable and starved I was on account of it, and if I hadn't it I might be well fed in a comfortable place as I was before, I felt horribly tempted to destroy it, and it seemed," said the poor young creature, passing her hand over her forehead, "it seemed to come so strong upon me, I was almost doing it; when one night I dreamed I *had* done it, and the baby was laying dead in a little coffin. I felt dreadful, and I heard a voice say—it seemed like God—'Thou shalt do no murder.' Well," said she, "when I *woke* up and found the child was not dead, and that I had not killed it, oh! how thankful I was! and I didn't have those horrid thoughts afterwards." The tears ran down the poor creature's wan cheeks, and she pressed the unconscious infant to her with anything but the embrace of a murderess; but she had, I doubt not, been dreadfully tempted.

How monstrous the injustice which lets her seducer and destroyer go free, and leaves the poor victim of his treachery to struggle alone against such overwhelming temptation, and dooms her to suffer the extreme penalty of the law if she yields to the pressure!

It is a motive to efficient and seasonable care for the education and moral discipline of young children, that the period of life between which the greatest amount of crime falls, is that from the age of fifteen to twenty.

The sum of crime committed at that period to the sum total is 6,236 to 25,107. Its proportion, therefore, is very nearly one-fourth of the whole. The juveniles, "aged 15 and under 20," form not quite *one-tenth* of the population, but they are guilty of nearly *one-fourth* of its crime.*

And if any one is disposed to wonder that criminal propensities should acquire such a momentum at so early a period of life, let him think of their destitution of temporal comforts, the absence of parental care and control, and the want of early and proper training, arising from the extreme poverty, ignorance and DEPRAVITY of their parents and natural guardians. The pressure of indigence under which vast numbers of the poorer classes live—the necessity of their toiling hard, early and late, for their daily subsistence—their unavoidable absence

* From tables showing the number and ages of criminals in 1846, by Mr. Redgrave of the English Home Office.

from home, and their consequent inability to prevent their children from having intercourse with bad associates—frequently preclude even the most honest and industrious from bestowing on their families that attention which is indispensable to preserve them from criminal practices. But among the offspring of persons in the yet lower ranks of poverty, the temptations to crime are still more powerful. The many thousands who, when they rise in the morning, know not where to find a meal for the day, and who are therefore absorbed in the means of obtaining a subsistence, can bestow no moral care whatever on their children, who necessarily become an early prey to their vicious propensities; while it is needless to add of adult criminal offenders, that their children are from infancy systematically initiated into crime, and become trained to the practice of nearly every species of iniquity. From the last two classes emanate a large body of deserted or orphan children, who may be daily seen begging in the streets, or wandering about with no other object than that of plunder. They are frequently committed to an ordinary prison, where they are generally rendered worse by their confinement. On their liberation, being friendless, they resume their predatory habits, corrupting or being still further contaminated by those with whom they associate, until after frequent imprisonments their career is arrested by transportation.*

With such a picture before us of the condition of the children and youth of populous cities, we can account for an expenditure of \$300,000 for a House of Refuge in Philadelphia or New York, but how shall we account for the absence of such an institution from any city, town or district that can furnish subjects for its discipline and instruction?

Perhaps it may be safely affirmed, that in the career of most depraved men there are crises, or turning points, at which a very slight influence determines whether they retrace their steps or press on to the perdition of the ungodly. Oftentimes that critical era is a first discharge from imprisonment. If the party has been secluded from all association with his fellow-convicts and if his criminal courses have not marked him for the eye of the police, he may be rescued and restored by judicious oversight and encouragement. One of the most desperate villains whose name appears in the late annals of crime in England, was a young man named Cooper, who was executed

* Tenth Report of Government Inspectors of Prisons.

for the murder of a policeman; he also seriously wounded two other persons before he was captured, reloading his pistols with *grass* for wadding, as he was pursued across the fields; a portion of the grass being found around the ball in the officer's heart! He had for some time infested the neighborhood, and committed various highway robberies, his lair being in a thick woods. Having been imprisoned various times, he became generally known to the officers of police. He afterwards apparently wished to abandon the nefarious practices he had followed, and repeatedly obtained employment, and was dismissed again through the agency of constables who informed his employers of his bad character!

At a later period a clergyman was shot by burglars, who had entered his house for plunder, and soon after died of the wound. The man who committed the foul deed had applied to an institution established for the reformation of such as are disposed to abandon their criminal pursuits, and had been rejected for want of room!

The case is also mentioned of three abandoned women, whom the missionary persuaded to leave their haunts of pollution, and betake themselves to one of the refuges provided for their reception.

At about ten o'clock in the morning we left their wretched abode in company with them; but one had a bonnet, the others were so poor as to be unable to procure so cheap an article of dress. We walked, with those three wretched females following us, from ten in the morning until six in the evening, seeking for them admission into various asylums, east and west of London, and we could procure admission for them, or even the *promise* of speedy admission for them, *into none*.

Thus foiled, they returned to their former courses. One of them was soon after found in a public Park at night, and an Inspector of Police stopped to make some remark to her, to order her to move on; she had *chloroform* in her handkerchief, and instantly applied it to the inspector's face, who was immediately rendered incapable of resistance. She then robbed him of his watch, and was decamping, when two detective officers, who were on the other side of the hedge, at hand, immediately pursued and captured her, and she was transported:

We do not find any apology for crime in the neglect of the community to provide means of avoiding temptation. Every

one must stand in his own lot and fight the tempter for himself under the assurance, that if resisted, he will flee. But neither do we exonerate society from blame, if any means are omitted to preserve the virtue of those who stand, and to recover such as have ignominiously fallen.

And this naturally brings us to a brief notice of the other volume to which we have referred, and which exhibits, with some particularity, the operations and results of an institution designed to serve on any favorable opportunity that may present itself, for effecting a change of habits and character.

The author introduces his subject by alluding to a beautiful spectacle which opened upon his view, when in a tour through Switzerland, in 1851, he visited the Falls of the Aar, which, on account of their height, the quantity and force of the water, the gloom of the gorge into which the river precipitates itself, and the wild character of the scenery around, is, perhaps, the finest cataract in Switzerland. Standing on a bridge which spanned the abyss, he saw a triple iris formed by the shining of the sun on the spray of the cataract. And he was intensely interested by beholding one of these brilliant bows in the lowest depth of the gorge, the sun being at the time in a position to send his rays upon the boiling surge in the remote depths of the abyss.

As he gazed upon this splendid scene, he involuntarily quoted the first words of the 130th Psalm—"OUT OF THE DEPTHS have I cried unto Thee, O Lord." And he was reminded by analogy of nature of the following truths. First, that as the sun penetrated this gloomy gorge even to the uttermost, so there is no state of humanity below the reach of the beams of the promises of Divine mercy, or concealed from the rays of that Sun of Righteousness which God has fixed in this world to remove the grossest darkness of the people. And, secondly, that as the bright bow spanned the cataract even at its lowest depths, so our human nature, when shone upon by the soul's sun, the Sun of Righteousness, presents ground for hope, that from the most degraded position it may be completely redeemed. A bow of promise and of hope spans the darkest moral abyss, and chastens the fiercest outrushings of human crime. And he who stands, where in Christian mid-day he can observe the meeting-points of human guilt and Divine mercy, will of no fellow-sinner ever despair.

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As a very proper preface to the history and fruits of the enterprise, the author gives us a graphic account of the difficulties which attended its early stages, and the peculiar concurrence of circumstances, or we might better say, the interposition of a kind providence, which enabled the projector to overcome them. We are the more disposed to transfer it to our pages as it demonstrates a doctrine we have long held, viz.: that while associations may secure and apply larger means for the supply of want and the relief of suffering, the streams of benevolence which flow farthest and deepest, take their rise in individual hearts and find or make channels for themselves.

A Christian pastor in the metropolis of England appealed to his congregation, in the month of February, 1842, for teachers in a school for the forlorn and outcast. Among his auditors was a young man, who had come from Bristol to London some years before, upon objects of business. He had been brought up to the occupation of a draper, but, tired of the service of the counter, was filling the situation of a commercial clerk. During several years he had feared God, and had devoted a portion of every Sabbath to the work of Sunday-school instruction. An appeal for teachers in such a school presented to this young man's view a new sphere of benevolent labor, and led him to inquire as to its character and probable results. Induced by mere curiosity, he visited one of these schools for the destitute, and was prevailed upon to take a class. But so disheartened was he by the failure of his endeavors that evening, that, before the school had closed, he had resolved never to try again. The teachers induced him, however, to make trial continually for a month, and he had so succeeded in gaining the attention of a class of boys before the month had passed away, that he found himself possessed by a desire to labor permanently in this sphere. This desire soon became resolution; and the individual before us, withdrew his exertions from the Sunday-school, and gave himself, on the evening of Sunday and of one week-day, to the education of those whose development has been strained towards evil, and crushed in the direction of all that is good. In contemplating and estimating the moral dangers of a metropolis, let us not overlook the fact, that while many who come to it are engulfed in the whirlpool of its vices and vanities, not a few are instructed and spiritually redeemed by the fountains of intelligence, and of pure, moral influence, with which it is blest.

“To him that hath”—*useth what he hath*—“shall be given, and he shall have abundance,” said Jesus Christ to his dis-

principles. Power rightly employed is strengthened—resources legitimately used are multiplied. “There is that scattereth and yet increaseth.” Our Ragged School teacher had the promise of the Saviour fulfilled in himself. The use of his *then* capacity and resources in seeking and saving the lost, so increased his desire to carry forward this work, and so enlarged his abilities, that he felt hereby moved of God, to renounce the engagements of trade, and consecrate himself to the education of the most degraded portions of the community. Many who have left business for the work of the schoolmaster, the missionary, and the minister, have evidently mistaken their calling; and instead of being more useful in the church, in a school, or in a missionary station, than in secular pursuits—they find the former a bushel concealing the light, although the latter had been as the candlestick exhibiting it. Thanks be to God, the merchant and mechanic, the trader and professional man, may as really, in their several avocations, serve and glorify God, as the holy angels, who, in a higher sphere, do God’s commandments, hearkening to the voice of His word. Our Ragged School teacher, however, made no mistake when, after some four years’ voluntary labor, he gave up his commercial clerkship, and commenced a course of training to fit himself for usefulness in the capacity of a teacher.

After a suitable term of preparation, he engaged as master to a Day Ragged School, in the vicinity of Westminster Abbey. This furnished employment of the kind that had long been sought. But true benevolence is neither official nor perfunctory. If it prompt a man to take an office, it keeps him from being stereotyped by routine duty. Charity does not ask, “What *must* I do?” but “What *may* I do?”—not “What is required of me?” but “What is it possible for me to accomplish?” Upon this principle, the school in Westminster did not enclose the schoolmaster. His zeal was not confined to the hours in which he was engaged to teach; but, instead of describing the double arc from 9 to 12, and from 2 to 4, it moved through the sphere of his whole day. School being ended, he visited the haunts of vice for which Westminster is remarkable, and invited the ragged children to attend his instructions. And as he lived in the city, and had to go daily through one of the most frequented streets on his way to school—like the good Samaritan, he did not pass by the youthful vagrants and criminals whom he met on his road, but tarrying to speak to them, invited them to his school. This invitation some of them most cheerfully accepted. A serious difficulty now presented itself. The school provided no food for the scholars; and the lads, of whom we are now writing, pleaded that it was useless to attend the school in the day, if at night they were obliged to beg, or to steal necessary food. It was impossible to meet this exigency

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in the case of all the lads; but two of the most urgent cases were selected, and provided for as follows. One of them was in a most filthy condition; and in the interval of school business he was divested of his loathsome apparel—purified from vermin and dirt, and clothed with a few old garments, supplied by the patroness of the school. The other lad was clean in his person, and his raiment was in a decent state. A lodging was now taken for these two boys, in one of the most quiet houses for travellers in Westminster, and our schoolmaster paid for their lodging—saw them to bed at night—took them to the school with him in the morning, and provided for them during the day. The boy last named absconded. The other, after absenting himself for some days, and giving other cause for discouragement, became so completely reformed, and made such rapid progress in his education, that our schoolmaster, stimulated by success, determined at once to extend these benevolent and extra-official efforts. He now hired a room in another street, at the rent of two shillings per week—selected six lads from those *still* attending the Day School, in the teeth of the difficulty of having no lawful means of obtaining food, and placed them at night in this new abode.

To say that this patriarch of the youthful outcast had no resources, would be to overlook the omnipotence and wealth of the God whom he trusted and feared. If by resources, he meant cash in hand—promised subscriptions—co-operating friends—an income or property that would meet even this small claim—then we must admit that our friend was utterly destitute. There is, however, a bank of Providence, which dishonors presumption, but honors faith—which is shut to indolence, imprudence, and carelessness; but is open to diligence, wisdom, and prayer—in that bank our friend had treasure. And when he entered with his six boys on their new lodging, he kneeled with them in prayer, and asked that this treasure might be available to sustain his enlarged undertaking. If there be a God, and that God has not cast us off, He will hear such prayer as this.

Silence reigned through the neighboring Abbey; but had the nave and aisles of St. Peter been filled with the sounds of a full cathedral service, the God we worship would have found as sweet a melody, as perfect harmony, and as real worship in the prayer of the voluntary guardian of these youthful criminals and in their responses to his petition, as in the most devout use of the divinest liturgy that man or angel could compose.

God did hear his prayer. The Divine answer did not, however, first come in sovereigns and bank-notes—in the visits of the aristocracy, or in the favorable notices of the press—but in means which remind us of the ravens and of the barrel of

meal by which Elijah was fed in the days of famine. Say not, "Where is the God of Elijah?"—There was Elijah's God in the slums of Westminster. The lads had slept on the floor, without bed or bedding, during a whole week; and a poor woman hearing of their case, sent them some old bed linen, which, with some clean straw, improved their accommodation for the night. The children of the day school knew that these lads were fed by the kindness of their master, and they voluntarily brought every morning a portion of their breakfast, placing the crusts of bread thus spared from their own scanty meal, upon a shelf set apart for that purpose. The farthings which some of the scholars had given them by their parents for the purchase of sweetmeats, were devoted to the same object. The pupils of a neighboring Ragged School collected several shillings in farthings. The teachers of a Sunday-school held in the Ragged School premises, contributed pecuniary assistance; and the lady, by whose exertion the day school was chiefly sustained, made frequent gifts of food and clothing. All this relieved our benevolent schoolmaster, and lightened the pressure of the lads' support upon his resources and exertions.

Help came also from other quarters. A baker in the neighborhood supplied bread upon credit, cheerfully waiting for payment until means were in hand. And the agent of the City Mission in the district, offered as a sleeping-room an apartment in an Institute for Working Men, which his own industry and enterprise had established. This offer being accepted, the lads were removed thither, sleeping there at night, and spending the day and taking their meals at the school. A month had not elapsed, however, before this accommodation was suddenly withdrawn, and the kind guardian of the lads had again to seek a place where they might lay their heads. The first apartment taken was immediately given up upon finding the house to be a brothel. The second promised continuance; but after an occupancy of some eight weeks, the sub-landlord decamped in the night, and left the six lads the sole inmates. It is true, the removal of the furniture was no great inconvenience. One straw bed, two forms, two tubs, a borrowed table, a kettle, and some basins, were easily conveyed from one street to another. But the trouble of finding a suitable lodging was considerable, and these changes of residence were, on the lads' account, by no means desirable.

Another room was now obtained and a brighter day dawned. The patroness of the former school offered to obtain, and supply \$5 per week; so that the schoolmaster might have no concern for the maintenance of his beneficiaries. This she did, not merely from sympathy with the object, but fearing, (it may be,) lest this extra work and care should infringe on the schoolmaster's appointed sphere, and lest his applications for subscriptions

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should check the supply of funds to the day school under her kind care. Another benevolent lady requested that a poor lad she had met in the streets might be added to the six already adopted, agreeing to pay 62½ cents weekly for his maintenance, and thus aiding in the support of the rest. A kind Christian tradesman paid the rent of the room; two more vagrant lads were added; and the winter seemed over and gone—the time of the singing of birds had come.

But the clouds returned after the rain. The promised supply of money was, after a few weeks, withdrawn—our schoolmaster received notice to quit his situation as master of the day school—and the lads were forbidden the school premises. This arose from the supposed collision of the extraordinary labors of the schoolmaster with his ordinary duties; a collision which did not happen, but which would have been inevitable with a man of less heart and of less resolution. Now is the hour of trial. He is prepared to resign his situation, and therewith his only means of support, but he cannot give up the adopted children of his kindness. He is ready to take again the responsibility of finding means for their support, but he will not incur the responsibility of casting back into the “miry clay” eight youths, of whose recovery he has the firmest hope. Accordingly, he leaves the notice to quit his situation to take its course, makes new arrangements for the lads, and labors hard to obtain money for their food and lodging. This he did, most carefully avoiding appeals to the subscribers by whose bounty the day school was sustained; and, in some cases, declining help where he knew it would decrease the funds of the institution he was officially serving. A letter, addressed to a benevolent friend, brought back a response of \$25! And a lady who came to the school on an errand of mercy connected with one of the scholars, seeing the lads, and inquiring into their circumstances, ordered beds and bedding—paid a long bill at the baker’s—met other claims, and relieved our schoolmaster of all his pecuniary difficulties. The opportuneness of this help will be estimated when the reader is told, that at this time the guardian of these lads had expended every shilling of his own—had borrowed money of all his friends—had pledged every article of clothing he could with decency spare from his own person—and was living on a few pence per day, in order to provide, out of his own small income, food for the lads!

We do not undervalue the benevolence of a wealthy man or woman who generously bestows a gift of fifty, a hundred, or a thousand dollars in aid of some judicious scheme to enlighten the ignorant, relieve the suffering, or reclaim the vicious, but

the charity that is heaven-born and heaven-bent, and which had its divine power and exemplification in the personal ministry of Immanuel, has a more intimate sympathy than this with the sons and daughters of want and woe. With its own hands it binds up the wounded wayfarer; with its own gentle voice it soothes the anguish of the broken-hearted, and by its own words of expostulation and encouragement, it persuades the wicked to forsake his ways and the unrighteous man his thoughts, and to turn unto the Lord, who will have mercy upon him, and to our God, who will abundantly pardon. Alas! when will *charity* become in the followers of Christ, a warm, earnest, living, pervading, penetrating principle such as it was in the earthly ministry of their Master!

Delivered from pecuniary exigencies, at least for a season, the efforts of our schoolmaster were exposed to another fiery ordeal—the strife of tongues. Not a few persons expressed to him their belief that the reformation of a thief was impossible, and raised various objections to his mode of operation. It is important to bear in mind that our beliefs are governed largely by our inclinations, and that it is not difficult to be an unbeliever in an enterprise, concerning which we want an excuse for withholding our support. But the man who would accomplish anything good and great must let all this unbelief pass by him as the idle wind. Two evenings of every week were now devoted to writing letters to such persons as were likely to afford assistance. Among the early answers to these epistolary applications were letters from the Bishop of Durham, inclosing \$25 and \$50, and another from the benefactress before mentioned, remitting \$15.

But with all this help, the constant claims for rent and food left our friend sometimes dinnerless and penniless. Increasing assistance was soon, however, obtained; and by the kindness of the present Earl of Shaftesbury, (then Lord Ashley,) provision was made for the emigration of three of the lads. Their places were soon occupied by others; and as the inconveniences of so many living and sleeping in one small room became more manifest, a larger apartment was rented for seventy-five cents per week. The character of this house involved fresh self-denial. Every room was tenanted by thieves, and by other characters, both male and female, of the lowest and most depraved description. The street door had not been closed, either day or night, during several years. The natural silence of the night was broken by incessant quarrelling and fighting; and sometimes the riot in a single room required three or four

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policemen to quell it. The suitableness of this apartment, in all other respects, was the object for renting it, and the dangers arising to the lads from the other inmates were warded off by their kind guardian leaving his own family, and sleeping in the same apartment as the lads. This he did for the space of three months! Sleep was generally impossible to him, but his presence preserved the needful separation between his charge and the other lodgers; and he was often useful in quelling the almost hourly riots occurring in the house. While here, the Asiatic cholera attacked one of the lodgers, but the lads were preserved, and their benefactor quieted his fears by trust in his God.

Desirable cases presenting themselves, the number was increased. For their accommodation a second room was taken—then a third—and, subsequently, the entire house. Upon our friend devolved not only the responsibility of paying the rent, but the trouble of ejecting the other lodgers, and of rendering the house habitable. The drunken wretched tenants were at length got rid of; the street door was closed for the first time, after having stood open several years; and the lads cleansed, white-washed, and painted every room in the house. These premises were taken in September, 1848; and on the 28th of March, 1849, three other lads being provided by private charity with a passage and outfit to Australia, a meeting was held, for the purpose of taking leave of the emigrants, and commending them to the care of God. These lads sailed for Australia, April the 2nd, and their places were speedily filled up. A similar meeting was held March 22, 1850, to take leave of five others, who emigrated to the United States. They sailed for New York, March 29, 1850.

The notice to our schoolmaster to quit the day school had not been carried into execution. It was withdrawn a few weeks after it had been given. But it was again given; and now he is required to leave his daily employment. This he did, March, 1850, and devoted himself entirely to the work of reforming and training criminal youth. He was now dependent for rent, for the support and education of the lads, and for the supply of his own wants, upon the contributions of the benevolent. Hitherto the entire management of this good enterprise has been in his own hands. But the time had come to appoint officers and a committee. This was done on the 9th of May, 1850; and Charles Nash, whose doings we have been all along describing, was installed as Governor and corresponding Secretary of the London Colonial Training Institution.

Thus the “egg had become an eagle,” and “the thought had become a thing.” While we write, the two inmates have increased to a hundred; one room has expanded to premises

covering 4,522 square feet of ground ; the crusts of the outcast children have been superseded by an income, for this year, of more than \$5,000; and the Institution takes its place among the most important benevolent enterprises of the day. But the reader, by this brief history, will see, how much it cost the founder to establish it, and bring it to its present state. Mis-anthropes may shut themselves up in their studies and libraries, and say “ All men are liars ; ” — “ I am left alone, and they seek my life ; ” but if they would come forth into the world of the present, they would find good as well as evil, and an amount and a kind of good which, in their seclusion, they imagine never to have existed, or to be long since defunct.

To this interesting and instructive record succeed memoranda of one hundred specific cases, taken at random for the purpose of analysis and classification, in which the reformatory influence of the London Colonial Training Institution was tried with more or less success.

The condition of the parties in leading particulars was as follows : 61 were born in the city ; 29 in the country and 10 in foreign parts ; 83 attended school in youth ; 42 were led astray through bad company, and 33 by theatres and concerts ; 61 were under 20 years of age ; 59 were imprisoned from one to five times ; 18 five to ten times ; 10 ten to twenty times ; 1 twenty-four times ! 46 lived a dishonest life from one to five years ; 34 from five to ten years ; and 9 from ten to twenty years.

Then as to the results, we find that since the Institution was opened there have been—

Sent out as emigrants	.	.	.	.	122
Sent to situations	.	.	.	.	40
Restored to their friends	.	.	.	.	18
Enlisted for soldiers	.	.	.	.	19
Gone to sea	.	.	.	.	2
Deceased	.	.	.	.	1
Sent to Juvenile Institutions	.	.	.	.	55
Total	.	.	.	.	257

So that, according to these figures, 79 have been provided for at home, 122 have emigrated, and 200 have thus been redeemed from crime and degradation.

Our limits forbid a further enlargement, and we dismiss the subject with the pungent inquiry with which the author closes his volume.

Is nothing to be done for the men, and especially for the young men who, at the expiration of their term of confinement, are turned out of the prison into the street, often in vile raiment, generally homeless and friendless, and invariably without that character which is essential to entrance upon a sphere of honest labor? We repeat the question—Is nothing to be done? If left to themselves they will certainly return to their evil ways, and their lives will be spent between the streets and the prison, until disease, or suicide, or the gallows, cut short their days. If something ought to be done, the question arises,—What is best? Upon a large induction we unhesitatingly declare that civil punishment, however wisely administered, does not reform the criminal; also that, when the friends of an erring youth shut their door against him, they drive him into yet deeper crime; and that whatever may be the desire for reformation on the part of such persons, and however real their repentance, restoration to society is certainly not within their own reach.

It is an affecting fact that the criminal, Levi Harwood, who, in the spring of 1851, was executed at Horsemonger Lane Gaol for the Frimley murder, had a few months before that deed of blood, and the robbery which led to it, applied again and again to this Institution for admittance. Had he been admitted, the probability is, that instead of now being numbered with executed criminals, he would have been in the path of reformation and social restoration. And let those who might provide a place of repentance for criminals consider, whether the untimely end of such as Levi Harwood is not, to a certain extent, chargeable upon the neglect to do so. Men may congratulate themselves on our effective police, on our prison discipline, our penal settlements, and means of visiting with capital punishment the highest kind of criminals; but as surgical operations are the opprobria of surgery, so these social excommunications and excisions are the blots and stains of our land.

Whether conscious of it or not, we are all more or less connected with the criminal population of the country. And this connection is not dissolved by the imprisonment or transportation of the criminal—

“———— E'en as the limb,
Lopped and in the grave, retains they tell us,
Strange commerce with the mutilated stump,
Whose nerves are thrilling still in maimed existence.”

Since the discontinuance of transportation, necessity is laid upon the English government to provide for the care and custody of four thousand men and women, who under that system were annually banished for a term of years or for life, to a far

distant land. One of the schemes for retaining them under proper *surveillance*, is described in our Journal for April last. Notwithstanding a few failures, those who are competent to judge, are of opinion that the plan will finally succeed. But to secure them from relapsing into criminal ways after the termination of their probationary term, an institution has been established under the name of the Metropolitan Industrial Reformatory. A few days since the first annual meeting of its patrons was held, when a report was made, that during the year one hundred persons, varying in age from sixteen to forty-five, had been admitted to the Institution. Of these, fifteen had left while on probation, twenty-five had been dismissed as insincere, six had been restored to their friends, seven removed to juvenile reformatories, eleven provided with situations, and thirty-six remained in the Institution. Of these thirty-six the Committee had determined to aid six to emigrate. The total receipts amounted to about \$10,000 and the expenditures to nearly the same sum.

We would not lightly estimate any benevolent labors directed to the reformation of bad principles or conduct, but we must say, that if the investment of the like sum in good infant, Sunday and daily schools, or even Houses of Refuge, yielded no better dividends, we should be much less disposed than we are at present to embark in them.

ART. IV.—MASSACHUSETTS STATE PRISON.

The annual report of this prison, for 1854, has been kindly forwarded to us by a friend who knows our interest in the subject. It contains a few paragraphs for which we must make room. One of the first features that presents itself is one of perfect *complacency*. The *ne plus ultra* point has been attained! Their language is

The system of associated though silent employment, and separate confinement except during the hours of labor, is here established, we hope and believe, unalterably. Upon the knowledge we have been able to gain from reading, from observation, and from authority, we avow our firm belief in the superiority of the mode of prison life now established here.

We consider, in regard to the people of Massachusetts, that the question of the Auburn or Pennsylvania plans is no longer open for discussion; that our system has been adopted, and that it is the duty of the authorities of our prisons to accept the plan now in operation at Charlestown as a fixed fact.

Fixed as the fact is, however, there are a few men, ("perhaps not enough to justify the erection of another prison building at present for their use,") for whose accommodation and for the safety of others, the separate system, as it is practised in Pennsylvania, must be introduced; and lest peradventure there may be some straggling unbelievers in the perfection of the Charlestown arrangements, especially as it respects the preservation of silence or non-intercourse, the report re-opens the question a little way, just for the purpose of saying that "there is no doubt some communication of the convicts with each other, *and with the world beyond and around them,*" and adding, that "a certain amount of communication" between convicts "is far from injurious, either to the discipline of the prison, or the morals of the convicts;" (p. 9.) thus conceding and vindicating a point which we supposed fully settled the other way.

We will not discuss this topic just now, but will call the attention of our readers to another feature in the discipline of the institution, of rather a graver cast.

There is absolutely no classification of the prisoners while at work, according to age or character; but their association depends entirely upon accidental circumstances, upon the demand for workmen in the various departments, and the capacity and adaptation of the convict for any specified branch of industry carried on in the prison. Thus the old and the young, the adept and the novice, the murderer, the accomplished house-breaker and the young lad, who may yet hardly appreciate the nature of the crime for which he is undergoing punishment, are all indiscriminately mingled together, and the least corrupted exposed, as far as the discipline and surveillance will permit, to the teachings and temptations of the most experienced and hardened rogues in the institution.

This is not a very creditable story to put side by side with the complacent representation we first cited. We should say that a system of discipline which allows of *any degree* of mutual corruption among convicts, is radically defective, and hence we should argue upon the facts here presented, that the Charlestown discipline, instead of being a "fixed fact," is a sorry

failure, and that the sooner they exchange their present discipline for individual separation in its most rigid application, the better for the convicts and the country. But there is another passage in this report which bears a still more discreditable aspect.

Out of 491 convicts in the prison on the first of October, 98, or 20 per cent. within a very minute fraction, were unable to read and write; 222 were not more than 22 years of age at the time of admission, of whom 3 were only 15, 14 only 16, and 67 not more than 18 years of age.

The inquiry now very naturally arises, what means of instruction and consequent reformation are provided for these ignorant men and boys. The answer is, one hour in the week in the Sunday-school, and no more, is the time, and such teaching as can be obtained from the prison officers, and from such of the convicts as are able and willing to instruct their more ignorant fellow prisoners, is the means. This limited schooling is entirely voluntary; no convict, however young, or ignorant, is obliged to attend the Sunday-school. Of the 98 entirely illiterate convicts, 65 do not avail themselves of the opportunity of attending the school, but remain voluntarily without any hope or desire for improvement in knowledge, in the same state of ignorance as they were in when they entered the prison.

It is not creditable to a State like Massachusetts, to keep her criminals in such a condition, that they must necessarily be worse men at the time of leaving her guardianship, than when they were first subjected to it. Yet, it seems clear that such must be the result, when so many ignorant youths in the vigor of life, are left to wear away their years in confinement, with so little incitement to seek instruction, that two-thirds of them do not avail themselves of the scanty means of learning within their reach, and when those means are so scanty, as to be hardly adequate to make any impression on the mass of ignorance and crime in the prison.

We think our Massachusetts friends have something still to learn about the treatment of convicts, and they had better not exclude light even from a separate prison, quite yet. If they will send on a deputation to the Eastern Penitentiary, they may possibly get some new views, and if they should find that the men there are better kept, better worked and better taught individually, in separate cells, than they can be in gangs or congregations, they may be induced to relax the unalterable fixedness of their present system, or even accept a substitute.

Another thing we notice with surprise. Stone-cutting has

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been the chief occupation of the convicts at this prison from time immemorial—we might almost say—and it has often been mentioned as one of the disadvantages of cellular imprisonment, that this kind of labor could not be pursued. It is now declared to be “the most injurious to the health of those employed in it, of any of the prison occupations,” and yet a larger number of convicts are employed in stone-cutting than in any other kind of labor! It is added, that those engaged in it cannot be kept under proper discipline, and that for these and sundry other reasons, it ought to be abolished.

It is an item, not unworthy of notice, in the report of a prison that has claimed to be a source of revenue to the State, that “a debt is outstanding against it amounting to about \$18,000 which is provided for, from time to time, by notes discounted and renewed, &c.” Credits to an equal or larger amount, uncertain in safety and value, are unreliable assets.

We do not advert to these points with any unfriendly spirit. But the directors of an important State penitentiary, located in one of the most intelligent and influential sections of the country, avow their fixed and unalterable conviction that the association of convicts is preferable to their separation. Not only so—but they regard the repudiation of the latter principle as so entire and unqualified as to exclude any discussion of it. Now we apprehend, with all deference, that ninety-nine in every hundred of the tax-payers of Massachusetts, are this day utter strangers to the peculiarities and true merits of the two systems; and if a new State Penitentiary were to be erected, and the question to be fairly presented to the people in their town-meetings—whether it should be constructed so as to exclude each convict from any knowledge of, or intercourse with other convicts—the expense and income being the same—we have not a shadow of doubt that the vast majority would say, SEPARATE THEM BY ALL MEANS.

Let the report now before us be circulated and carefully read by the people of that State, and candidly compared with the last report of the Eastern State Penitentiary, and we venture to say that the judgment of the inspectors would be reconsidered, and the question which they have so peremptorily settled, would be re-opened for discussion.

Miscellaneous Notices.

IDIOTS AND THEIR SCHOOLS.—There are probably in the United States not far from *forty thousand* idiots, or persons who from intellectual deficiency are incompetent to protect or provide for themselves. If they are not exposed to neglect and hardship through the straits of poverty, they are objects of ceaseless anxiety, and oftentimes their peculiarities are such as to make the proper care of them inexpressibly perplexing.

The readers of our *Journal* have been apprised, from time to time, of the gratifying success which has attended modern efforts for the relief of these unhappy creatures. An effort for improving their condition was made at one of the principal insane hospitals of Paris, in 1828, and it so far succeeded that an institution was opened in that city for their exclusive benefit, and several others were established in other parts of Europe.

At the principal asylum in England, which was opened in 1847, there are 360 inmates, and a splendid edifice for their reception has just been erected, at an expense of \$140,000.

It is but about ten years since public attention in this country was turned to this class of sufferers. Not a little incredulity was manifested in some of our legislatures from which appropriations for this object were urged. An experimental school for idiots was commenced, in 1848, at the Blind Asylum in Boston, with an annual appropriation of \$2,500 from the State for three years. Before this period expired, however, sufficient faith was felt in its success to induce the State to adopt it and double the appropriation. Thirty-seven pupils were under care at the date of our last report. There is also a private school for idiots at Barre, fifty miles west of Boston.

The Legislature of New York deferred making any appropriation to this object until 1851, and then it was but \$6,000, and that for two years only. But such was the success of the experiment, under all disadvantages, that in 1853 the appropriation was increased to \$10,000, and \$20,000 was granted towards a site for a permanent institution. Before any measures were taken for the erection of a building, it was ascertained that much larger accommodations would be needed than were at first contemplated, and at a late session of the legislature an act was passed, under which an eligible site has been purchased in Syracuse, and a building is to be erected for the reception of 150 pupils, and at a cost not exceeding \$60,000.

In 1853, also, a private school for idiots was opened in Germantown, near Philadelphia, for the encouragement of which the State Legislature appropriated \$10,000, to be paid whenever private subscriptions were

obtained to the like amount. The school was opened, however, at once, and was so far successful that in 1854 a specific grant of \$20,000 was made on the recommendation of the Executive. The number of pupils are said to be between twenty and thirty.

In several other States, incipient steps have been taken towards some public provision for idiots, and in two or three instances they have been received into Insane Hospitals,—temporarily we presume, for their condition is in no respect such as would be met by the ordinary appointments of these institutions.

An examination of official reports, on this subject, leaves no room to doubt that a most desirable melioration of idiotic life is attainable, and that, in some instances, powers of body and mind are improved or developed, and affections cultivated which, but for peculiar skill in the education, would have lain dormant. We have been apprehensive, however, that the laudable desire of awakening interest and securing patronage might lead to extravagant representations of success—thus exciting hopes which will be disappointed, and bringing distrust upon the legitimate claims of such institutions to public confidence and generous support.

THE GREAT ENGLISH CONVICT EXPERIMENT.—In former numbers of this Journal we have referred to the compulsory abandonment of transportation, and the substitution of penal servitude at home. As we have understood the new scheme, it placed the convict on substantially the same footing that he occupied as a transport, except that he is not transported. His labor is required on the public works at home for a term of years, on certain conditions, prescribed chiefly with a view to encourage his efforts to regain his social position.

An incidental debate took place in the House of Lords a few days since, in the course of which Lord St. LEONARDS spoke of the experiment as a *failure*, which he attributed chiefly to the difficulty of finding employment even for the best convict, when his term of involuntary servitude expires. He expressed his apprehension that the country could not absorb such numbers of convicted felons, and that the chance of their getting a livelihood was so much against them as to make their permanent reformation very problematical. He intimated an intention to move for a select committee to inquire into the whole subject, unless a remedy for the alleged evil could be devised.

The Duke of Newcastle, in reply, admitted the difficulties arising from the natural repugnance of most persons to employ convicts if other laborers could be obtained. Still some persons, from philanthropic motives, were willing to try them—so that nearly all the convicts, who were at liberty to seek employment, had found it, and that of the twelve hundred who had been conditionally liberated not more than one per cent. had relapsed into their former vicious habits—a proportion so extraordinary that he

hardly hoped to see it continued. He further stated, that instructions had been given to the police not to follow these men as suspicious characters, but to afford them every facility in obtaining honest employment.

Lord Campbell expressed great doubt as to the permanent success of the experiment. He advocated a return to transportation, convinced that penal servitude at home was no satisfactory substitute.

The mover of the debate expressed himself satisfied with the statement of the Duke of Newcastle.

We apprehend that most Lords and Dukes are but superficially acquainted with the true merits, or natural results of any system, but like our plain legislators and debaters at home, catching a floating idea here and there, and taking for granted what is not contradicted, they can make quite a respectable appearance in the report of a debate on prison discipline.

When legislation is demanded on subjects of this nature, light is to be sought from FACTS, and from long continued, discriminating, personal observation. Let theories, for the time being, be put under a bushel.



NEW HOSPITAL FOR THE INSANE.—The first patient was received by the Pennsylvania Hospital in 1752. Since that time about sixty thousand suffering men and women have been admitted there, more than half of whom were unable to provide for their own wants, and who yet received all the care and attention their cases required, without expense or charge of any kind. Most of the means for the relief of this vast amount of human suffering, were of private contribution. The ordinary number of persons under the care of the hospital is less than four hundred, and of these more than half are insane.

In 1841, this class of patients was removed to the new and most eligible buildings, erected for their special accommodation west of the Schuylkill, where nearly three thousand of these unhappy beings have received relief and comfort, and more than half the number are thoroughly restored to mental health! Of the number received, upwards of five hundred were treated gratuitously!

The skill and success with which the institution has been managed, have naturally led to an excess of applications, so that after filling the wards to their utmost capacity, large numbers have been necessarily refused whose sufferings might have been relieved, if not removed, and to them delay may be fatal.

To provide for this excess and for the constantly increasing applications for help, it has been proposed to erect, upon a portion of the ample grounds owned by the Institution, an edifice for the reception of two hundred male patients, giving up the present premises to the exclusive occupation of females. To accomplish the object fully, not less than \$250,000 would be needful, and if our arithmetic is not at fault, the investment would

secure to (say) three hundred different individuals, every year, the alleviation or cure of one of the most fearful ills that flesh is heir to, at an expense not exceeding \$75 each, including board, lodging, attendance, &c.

We cannot conceive that an object so benevolent in its whole bearing, will fail in a community like ours.



REDUCTION OF IRISH PAUPERISM.—One of the most remarkable and interesting incidents in the history of human industry, has occurred lately in Ireland. The first National Exhibition, held at Cork, brought together various classes from every part of the country, and not only gave them an opportunity to compare the products of their own toil with each other, but they also saw collected specimens of the ingenuity and enterprise of foreign countries. The sight gave a new impulse to their national pride, and they at once set about an industrial revolution. So successful were their efforts that when the next National Exhibition occurred, which was held at Dublin, they were prepared to make a noble display of the results, and instead of comparing their products with those from foreign lands, they had competitors enough among themselves. Forthwith new energy was infused into all branches of public and private business. The mineral and agricultural resources of the country began to be developed, as well as its manufacturing enterprise; and the whole face of affairs was completely changed. A single statement will show how wonderful was the revolution which the opening of a few departments of industry brought about.

The total expenditure from the public treasury, for the pauper population, and the number of out-door paupers relieved, were as follows:

Years.	Expenditures.	Number Relieved.
1849	£2,177,650	1,210,482
1850	1,430,108	368,465
1851	1,141,647	49,914
1852	883,267	14,911

It is not denied that not a little of this reduction is to be put to the account of emigration, but after all reasonable deductions on this score, the result must be a source of unmingled satisfaction.



ONE HUNDRED AND TWENTY-FIVE LOST CHILDREN.—There is no ordinary responsibility resting on those corporations or public bodies that dispose of orphan or pauper children. We believe the Girard College and our House of Refuge guard, with great vigilance, the interests of those who are indentured by their authority; and perhaps due care is exercised in all other quarters. But we confess our fears were a little excited when we read, a week or two since, in the public papers, a statement on the

subject, which we have not seen contradicted; it occurred in the report of the proceedings of the Guardians of the Poor. We cite the passage:

An interesting report was received from Peter F. Wright, Visitor of Children indentured to various persons. He stated that there were now about 900 children indentured. He had made 300 visits, and had found, as far as his investigation had extended, that of those bound out 77 remain in their situations, 12 had been adopted, 23 had eloped, 80 had been removed and their whereabouts could not be ascertained, and 45 had been removed to places unknown! All the children were doing well.

If we understand this report, it is that an investigation into the condition of *one-third* of the children now serving under indentures from the city, shows that 23 have run away, and 125 were not to be found! In other words, only 89 of the 300 were found in their places. It may be impracticable to prevent such results, but they imply painful uncertainty respecting the discharge of one of the most important relations in life.

BURIAL CLUBS AND INFANTICIDE.—There are in England a vast number of associations known as sick and funeral societies, the members of which by the payment of a weekly or monthly tax, secure a certain allowance in money to be paid them in case they become sick, or to defray funeral expenses if they die. Parents can also in like manner, secure a certain sum to be paid them in case of the sickness or death of a child. Sometimes the same person belongs to several clubs, and by a small periodical payment, a large sum is made to depend on the death of the same child. The abuse of this feature has been more than once intimated in the British Parliament, but without any result. A few months since, however, a *Liverpool* grand jury presented the subject as one imperatively demanding legislative interference, and they expressed their unqualified conviction that “these burial clubs operate as a direct incentive to murder, and that many of their fellow beings are, year by year, hurried into eternity, by the hands of those most closely united to them by the ties of nature, if not of affection, for the sake of a few pounds.”

INCREASE OF CRIME IN FRANCE.—A French correspondent of a leading London paper, expresses the conviction that crimes in that kingdom, if not more numerous, are much bolder and more aggravated than formerly. The embezzlement of money by post-men and mail carriers, is much more frequent and daring than heretofore. The commission of murder by women has also become an occurrence by no means rare. It was at one time no unusual event for a woman, who was unhappy in the conjugal relation, to destroy herself, but latterly it seems their feeling is changed, and they despatch their husbands!

Have you done what the law requires?

In No. 2, Vol. III., of the *Pennsylvania Journal of Prison Discipline*, it was clearly shown that a very little service on the part of certain public officers, would supply information of a most important character to the government and the citizens. There are frequent complaints in our public prints of the oppressive conduct of magistrates and constables, of the wanton violations of law in committing or retaining persons in prison, and there can be no doubt, that under the present lax and irresponsible management of many of our county prisons, enormous abuses are practised.

Do the people choose to have it so? We think not, for their representatives "in General Assembly met," have put upon sundry public functionaries certain reasonable duties, the faithful performance of which would not only protect the prisons from the worst of these abuses, but would greatly tend to improve the whole system, to ameliorate the condition of prisoners themselves, to reduce the expenditures on prison account, and lead to a more just and even administration of criminal law.

Among the provisions of the law are

I. THOSE RESPECTING SHERIFFS, INSPECTORS, &c.

It is made the duty of the inspectors, sheriffs, and other persons having charge of any penitentiary or jail within this Commonwealth, to transmit to the Secretary thereof, on or before the fifteenth day of February, in each and every year, a full statement in detail of the condition of such penitentiary, or jail, during the year ending on the thirty-first day of the previous December, showing the number of prisoners committed to such penitentiary or jail during the year, distinguishing the convicts, the prisoners for trial, witnesses, and other persons committed, and the offences of, or with which, they have been convicted or charged, and other causes of commitment, and the sex and color of the persons in every class so distinguished, and how many were insane at the time of their commitment; and further, in relation to convicts, distinguishing persons sentenced

to separate labor from persons otherwise sentenced ; and of each class of persons sentenced, showing the age, the place of nativity, and of conviction, and the term of sentence, and whether they have been previously convicted, and how often and where imprisoned ; whether they could read or write or had learned a trade at the time of commitment ; whether they had been apprenticed, and served out the full term of their apprenticeship ; whether married or single ; and such statement shall further show, the length of imprisonment of witnesses, the average imprisonment of all other persons than witnesses, and persons sentenced, and how many of such other persons received during the year were returned to court, and how many of them were discharged, and in what manner discharged ; distinguishing the prisoners for trial, persons committed as vagrants, as disorderly persons, for breach of the peace, and others ; and of the whole number of prisoners in such penitentiary or jail during the year, how many were discharged by expiration of sentence, by pardon, or otherwise ; how many escaped, how many died ; the cases of sickness, and the nature thereof ; how the prisoners are classified, their different trades, and occupations, if any, while in such penitentiary or jail ; whether an opportunity is afforded to the prisoners for doing overwork, or for receiving in any other manner the profits of their labor ; whether any and what provision is made to furnish such prisoners as need it, with clothing or pecuniary aid on their discharge ; whether a physician is regularly employed to attend the sick ; what provision is made for the instruction of prisoners ; the number of prisoners in such penitentiary or jail at the end of the year, distinguishing sex and color, in each class ; the receipts of the prison, and the sources from which derived ; the amount of expenditure, arranged under general heads, and so as to show the cost per diem of each prisoner ; the personal property belonging to such penitentiary or jail, and the cash value thereof, together with any information which the said inspectors, sheriffs, or other persons having charge of said penitentiaries or jails, may deem useful.

II. THOSE RESPECTING PROTHONOTARIES OR CLERKS.

The law makes it the duty of the prothonotary or clerk of each and every criminal court of this Commonwealth, to transmit to the Secretary thereof, on or before the first day of February, in each and every year, a full statement, in detail, of the criminal business of said court, of which he is the prothonotary or clerk, for the year ending on the thirty-first day of the previous December, showing the number of bills laid before the several grand juries of said court, the number of bills returned "true bills," and the number returned ignoramus ; the

number of presentments made by said grand juries, the number of bills tried, the number of acquittals and convictions, the number of nolle prosequies entered, the nature of the offences charged in the bills or presentments, the number and amount of recognizances forfeited, together with any other information the said prothonotaries or clerks may deem useful.

III. THAT RESPECTING COUNTY COMMISSIONERS.

They are required to transmit to the Secretary thereof, on or before the first day of February, in each and every year, a full statement in detail of the moneys paid out of the treasury of their respective counties for the support of any penitentiary or jail, and of the criminal courts of their respective counties, during the year ending on the thirty-first day of the previous December, designating the amount paid to grand jurors, petit jurors, witnesses, officers, and other persons; the number and amount of forfeited recognizances, the number sued out, and the amount received therefrom.

IV. THAT RESPECTING THE TREASURER OF THE COMMONWEALTH.

It is made his duty to communicate to the Secretary thereof, on or before the first day of February, in each and every year, the amount paid out of the State treasury towards the support of any jails or penitentiaries of this Commonwealth for the year ending on the thirty-first day of the previous December, designating the penitentiaries and jails to which money was so paid.

V. THAT OF THE SECRETARY OF STATE.

The law makes it his duty to cause abstracts to be made from all said reports, and to lay such abstracts before each branch of the Legislature on or before the fifteenth day of March, in each and every year.

We are not about to cast censure upon those who have hitherto neglected to comply with the positive injunctions of this law. The law prescribes no penalty for such neglect, assuming perhaps, that the reasonableness and utility of its requisitions would furnish a sufficient motive to obedience; and we are sure, that if the parties concerned were aware of the value and importance of the information which a due compliance with the law would furnish, they would have public spirit enough to prompt them to a discharge of their duty, without the stimulus of fine and imprisonment. Let us have the returns, gentlemen !

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